

August 9, 2006

Moving forward, Now comes tough task of real reform

U-T Editorial Response

By Michael Aguirre, San Diego City Attorney

Kroll's \$20 million report confirms conclusions I reached over 18 months ago in my Interim Reports on the City's pension crisis at a fraction of the cost. The Kroll investigative report paints a picture of the corrupt culture at City Hall and wrong-doing by elected City Officials calling their actions, "deliberate disregard for the law, disregard for fiduciary responsibility, and disregard for the financial welfare of the City's residents."

Contrary to the U-T Editorial, calling my conduct, "detrimental to San Diego's recovery bid," as the elected City Attorney, I have a duty and responsibility to ask the tough questions on behalf of taxpayers who have paid for this report. That is not "sabotage". Based on the phone calls and e-mails that I have received, public confidence is being restored because the City Attorney's Office expects accountability on the part of any firm, including Arthur Levitt and Co., that does business with the City of San Diego.

The U-T's charge that I was "prosecutorially pillorying of respected audit committee officials" is off the mark. At the City council hearing on Tuesday, Levitt not only refused to answer questions about his unsubstantiated bills, he would not "subject himself" to questions about his report. He refused to explain how he came to the determination that council members acted negligently rather than knowingly or intentionally with regard to federal securities laws. In addition, Kroll's lawyer, Benito Romano, did not appear to be familiar with California State conflict-of-interest laws on whether or not illegal pension benefits could be set aside.

The U-T is correct in asserting the need for changes at City Hall, "from the top of the organization to the bottom." We can only move ahead if we face the reality of what happened and if council members who participated in any wrong doing are held personally accountable. I will be working closely with Mayor Sanders so that we can expeditiously proceed with necessary reforms.